



National Council of Jewish Women

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Marsha Atkind  
President

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Dear Representative,

On behalf of the 90,000 members and supporters of the National Council of Jewish Women (NCJW), I urge you to oppose the "Marriage Protection Act of 2004" (H.R. 3313). This legislation would deny all federal courts, including the Supreme Court, jurisdiction to hear or determine any question pertaining to the interpretation of the 1996 Defense of Marriage Act (DOMA, P.L. 104-99).

The Marriage Protection Act is clearly unconstitutional because it violates equal protection guarantees for a specific minority group, gays and lesbians. By withdrawing federal jurisdiction over challenges to DOMA, this legislation would totally deprive this particular minority group of its ability to seek governmental protection of constitutional rights in federal courts.

In addition, the Marriage Protection Act would violate due process rights and undermine the separation of powers. Basic due process demands an independent judiciary capable of determining federal constitutional rights. Enacting congressionally-mandated jurisdictional limitations would undercut the essential function of the federal courts as the ultimate interpreters of the constitutionality of legislation.

For over a century, NCJW has been at the forefront of social change, raising its voice on important issues of public policy. Inspired by our Jewish values, NCJW has been, and continues to be, an advocate for the needs of women, children, and families and a strong supporter of equal rights for all, regardless of sexual orientation.

The Marriage Protection Act represents an attack on our very system of government. NCJW strongly urges you to preserve the independence of the federal judiciary, respect the separation of powers principles, and reject this discriminatory legislation.

Sincerely,

Marsha Atkind  
NCJW President



A FAITH IN THE FUTURE.

A BELIEF IN ACTION."